

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MAY 21, 2024- -5:30 P.M.

Mayor Ezzy Ashcraft convened the meeting at 5:33 p.m.

Roll Call – Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella and Mayor Ezzy Ashcraft – 5. [Note: Councilmembers Jensen and Vella arrived at 5:35 p.m. and Councilmember Vella was present via teleconference from 191 Dorrance St., Providence, RI 02903.]

Absent: None.

The meeting was adjourned to Closed Session to consider:

(24-298) Conference with Labor Negotiators (Government Code § 54957.6); City Negotiators: Jennifer Ott, City Manager, Jessica Romeo, Human Resources Director, and Doug McManaway, Deputy City Attorney; Employee Organizations: International Brotherhood of Electrical Workers (IBEW); Under Negotiation: Salaries, Employee Benefits, and Terms of Employment.

(24-299) Conference with Real Property Negotiators (Pursuant to Government Code § 54956.8); Property: Tract 8570 (Lots 2, 3, 4, 5, 6, and 7), known as Submerged Properties Adjacent to the Fernside Boulevard Public Access Pathways; City Negotiators: Assistant City Manager, Amy Wooldridge and Special Counsel, Michael Roush; Negotiating Parties: City of Alameda and Musso Trust (Lot 2); Zimmermann and Tse (Lot 3); Barics and Polentz (Lot 4); Walker Trust (Lot 5); McDonald et. al (Lot 6); and Fisher Trust (Lot 7); Under Negotiation: Price and Terms of Sale.

Following the Closed Session, the meeting was reconvened, and the City Clerk announced that regarding Labor, staff provided information and Council provided direction by the following roll call vote: Vice Mayor Daysog: Aye, Councilmember Herrera Spencer: Aye, Jensen: Aye, Vella: Aye, and Mayor Ezzy Ashcraft: Aye; Ayes: 5, and regarding Real Property, staff provided information and Council provided direction by the following roll call vote: Vice Mayor Daysog: Aye, Councilmember Herrera Spencer: No, Jensen: Aye, Vella: Aye, and Mayor Ezzy Ashcraft: Aye; Ayes: 4. Noes: 1.

Adjournment

There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 6:23 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.

MINUTES OF THE JOINT MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE COMMUNITY IMPROVEMENT COMMISSION (SACIC)
TUESDAY- - MAY 21, 2024- -6:59 P.M.

Mayor/Chair Ezzy Ashcraft convened the meeting at 7:11 p.m. Councilmember/Commissioner Jensen led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers/Commissioners Daysog, Herrera Spencer, Jensen, Vella and Mayor/Chair Ezzy Ashcraft – 5. [Note: Councilmember/Commissioner Vella arrived at 7:05 p.m. and was present via teleconference from 191 Dorrance Street, Providence, RI 029003.]

Absent: None.

CONSENT CALENDAR

Councilmember/Commissioner Herrera Spencer moved approval of the Consent Calendar.

Councilmember/Commissioner Jensen seconded the motion, which carried by unanimous voice vote – 4. [Absent: Councilmember/Commissioner Vella – 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*24-300 CC/24-007 SACIC) Minutes of the Special Joint City Council and Successor Agency to the Community Improvement Commission Meeting Held on April 16, 2024. Approved.

(*24-301 CC/24-008 SACIC) Recommendation to Accept the Investment Transactions Report for the Quarter Ending March 31, 2024. Accepted.

AGENDA ITEM

(24-302 CC) Resolution No.16164, “Appointing Jason Kim as a Member of the Transportation Commission.” Adopted.

Councilmember Herrera Spencer moved adoption of the resolution.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

The City Clerk administered the Oath of Office and presented a certificate of appointment to Mr. Kim.

Mr. Kim made brief comments.

(24-303 CC/24-009 SACIC) Recommendation to Accept the Fiscal Year 2022-23 Audited Financial Statements and Compliance Reports.

The Finance Director gave a Power Point presentation.

The City Auditor made a brief presentation.

In response to Vice Mayor/Vice Chair Daysog's inquiry related to residual fund balance policy, the Finance Director stated the economic uncertainty is higher.

Vice Mayor/Vice Chair Daysog stated City Hall is doing its best to manage funds well thanks to staff.

Read a policy on socially responsible investments by California State University Sacramento; urged Council to consider the policy in future audits and investments; expressed support for Council divesting City funds from genocide: Cam, Alameda Friends and Family for a Ceasefire.

Councilmember/Commissioner Jensen inquired whether the City's accounting staff is feeling supported; noted the report does not include any increases to accounting staff; expressed support for the City bringing the report in-house; requested clarification about staffing concerns raised by the City Auditor.

The Financial Services Manager responded that she has been with the City four years and barely made it out of the first year due to workload and management; stated was not been supported; the past couple of years, a lot has changed; the Finance Department has busy schedules; the work is never-ending but staff now feel supported; new technology is being brought to ensure jobs are being made easier.

Councilmember/Commissioner Jensen requested clarification from the City Manager regarding Finance Department staffing.

The City Manager stated there was a request for a potential Finance Department position; the budget is tight; staff is waiting until the two-year budget cycle; hirings are typically kept to the two-year budget process due to planning efforts; she has instructed staff to place staffing requests into the two-year budget cycle; the additional staffing requests will likely be brought to Council in the future.

Councilmember/Commissioner Jensen noted that she is inquiring about staff due to comments and concerns raised by the City Auditor; expressed support for the recommendation for additional staff; stated having as much staff as possible is helpful, however, there are constraints.

Councilmember/Commissioner Jensen moved approval of the staff recommendation.

Vice Mayor/Commissioner Daysog seconded the motion.

Under discussion, Vice Mayor/Vice Chair Daysog stated there is good information in the Annual Comprehensive Financial Report; roughly \$2 million over what was anticipated was collected; inquired whether staff has an idea about what is driving the increase and whether the amount might be due to the Transient Occupancy Tax (TOT) rate increase.

The Finance Director responded in the affirmative; stated some of the increase is due to TOT; some of the increase is also due to property taxes and the residual redevelopment agency; the

mid-cycle budget includes a honed forecasting with upticks.

Vice Mayor/Vice Chair Daysog stated property tax revenues at the end of the last Fiscal Year were almost \$2.5 million above the budgeted amount; inquired whether anything specific drove the increase or was the increase due to the previous response and fine tuning the forecasting.

The Finance Director responded a lot has to do with fine tuning the forecasting; stated the City switched financial systems and is getting better at using the data in the existing financial system.

Councilmember/Commissioner Vella expressed support for the report and for staff working above and beyond.

In response to Councilmember/Commissioner Herrera Spencer's inquiries related to the City sending weapons or funding to the Middle East or supporting Israel, the Finance Director stated there is nothing in the audited financial statements which states the City is sending money to the Middle East.

Councilmember/Commissioner Herrera Spencer further inquired whether the City is sending money to the federal government for the uses previously mentioned, to which the Finance Director responded the information is not found in the financial statements.

Councilmember/Commissioner Herrera Spencer stated a sign shown during public comment was not associated with the topic; requested clarification about the comments and sign.

Mayor/Chair Ezzy Ashcraft stated the explanation is due to the First Amendment.

Councilmember/Commissioner Herrera Spencer stated the comment is out of order since members of the public are only able to comment on the related topic matter.

Mayor/Chair Ezzy Ashcraft stated Council is aware of the First Amendment and she will defer to staff for further explanation.

The City Attorney stated speakers are allowed to speak in the same way Councilmembers are allowed to ask questions on the matter's topic; the speaker likely wanted to understand whether or not dollars are being spent in such a way; many time speakers are not well-informed on the topic of finances; the comments were related to the matter.

Councilmember/Commissioner Herrera Spencer inquired whether the City has allocated any funding to Israel, to which the Finance Director responded in the negative.

Councilmember/Commissioner Herrera Spencer stated that is important to clarify where the City is and is not spending money.

On the call for the question, the motion carried by roll call vote: Councilmembers/Commissioners Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye and Mayor/Chair Ezzy Ashcraft: Aye. Ayes: 5.

(24-304 CC/24-010 SACIC) Budget Workshop for Fiscal Year 2024-25 Proposed Mid-Cycle

Budget Update to Provide Direction on Funding Changes that Will Be Incorporated into Midcycle Budget Adoption Materials for City Council Consideration on June 18, 2024.

(24-305) Mayor/Chair Ezzy Ashcraft suggested the presentation time be increased to 15 minutes.

Councilmember/Commissioner Jensen moved approval of allowing 15 minutes.

Vice Mayor/Commissioner Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye and Mayor/Chair Ezzy Ashcraft: Aye. Ayes: 5.

The Finance Director gave a Power Point presentation.

(24-306) Mayor/Chair Ezzy Ashcraft suggested an additional 5 minutes be allotted for the presentation.

Councilmember/Commissioner Herrera Spencer moved approval of allowing 5 additional minutes to the presentation.

Councilmember/Commissioner Jensen seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye and Mayor/Chair Ezzy Ashcraft: Aye. Ayes: 5.

The Finance Director completed the presentation.

Vice Mayor/Vice Chair Daysog inquired the amount typically set aside by the City for CalPERS.

The Finance Director responded the City sets aside money and provides an additional payment; stated that she can provide the number to Council.

Vice Mayor/Vice Chair Daysog stated the amount is a \$3 million payment on top of the normal cost; Council adopted a revised policy regarding excess reserve payments; inquired whether the \$3 million additional payment directly relates to the formula adopted and if not, inquired the amount that would have been contributed as a result of the policy.

The Finance Director responded the amount which would have been contributed as a result of the policy would have been zero; stated staff is proposing an additional \$3 million be set aside, absent the policy.

Vice Mayor/Vice Chair Daysog stated that he previously expressed concern over the consistency of the policy; stated that he has received correspondence from a resident outlining concern over street safety projects being on-hold; inquired whether the matter is related to a capital improvement project (CIP) and what kind of spending the City plans for street safety projects.

The Public Works Director responded the City fell behind due to staffing challenges post-pandemic; there were challenges in finding and hiring engineers; staff is currently back on track and have hired four engineers in the last eight months; many projects have since gone into construction, such as the Clement Avenue Safety Improvements and signal upgrades along the Cross-Alameda Trail; Lincoln Avenue and Walnut Street improvements and the highway safety improvement projects have come before Council in the past six to eight months for construction contract awards; staff has been assigned to key projects. such as Grand Street and Central Avenue; the City is waiting on outside agencies, such as CalTrans, to approve the projects in order to continue; the mid-cycle recommendation presented includes Public Works is asking for a total of \$500,000; \$250,000 comes from General Fund and the rest is from gas tax and the Development Improvement Fund (DIF); the amount will be deposited into the City's street safety CIP account; the intent of the funds is to ensure adequate construction dollars to move forward on fatal crash locations; three rapid flashing beacons are to be installed on Mecartney Road, as well as improvements to Lincoln Avenue and Ninth Street; daylighting corridors for high injury areas, as well as high visibility crosswalks, are also planned; Public Works is getting back on track and will take time while Engineers begin; the recommendation ensures a smooth transition into delivering on many projects.

Vice Mayor/Vice Chair Daysog expressed support for the Clement Avenue and Encinal Avenue projects; inquired whether staff envisions going out to bid for any other similar projects.

The Public Works Director responded in the affirmative; stated staff anticipates going out to bid in the fall for Grand Street from Shoreline Drive to Otis Drive and the Central Avenue safety improvement project; staff anticipates CalTrans will release the project very soon and Council will consider a construction contract to consider in the fall.

Councilmember/Commissioner Jensen stated that she understands the challenges related to staffing; discussed positions recently added to the budget; inquired whether Public Works has sufficient staffing for all pending projects.

The Public Works Director responded in the affirmative; stated a couple of vacancies exist and recruitment is an ongoing process.

Councilmember/Commissioner Jensen stated some of the projects use outside funding; expressed support for the street safety CIP partially using the General Fund along with other ancillary funds; stated that she supports the street safety CIP's primary focus of daylighting; requested clarification about the status of other previously approved bicycle-pedestrian projects, the neighborhood greenways that are part of the Transportation Plan with Vision Zero, and Safe Routes to Schools (SRTS); stated some of the infrastructure for SRTS has been completed but not much; requested clarification on the status.

The Public Works Director stated a new engineer has been assigned to SRTS; the next project includes eight locations; staff is moving through the design process; the project is already funded by Measure BB; the project will begin construction as soon as the design is complete; construction is anticipated for 2025.

The City Manager stated the project is a separate CIP in addition to the street safety CIP; the \$500,000 being requested is in addition to the \$250,000.

The Public Works Director stated the amounts are part of the two-year budget adopted by Council in June 2023; the street safety CIP had \$250,000 approved for 2024-2025; the \$500,000 request brings the 2024-2025 total to \$750,000.

Mayor/Chair Ezzy Ashcraft inquired whether the amount is the total needed for the SRTS project as outlined.

The Public Works Director responded SRTS is a completely separate project; the project was previously funded with \$600,000 of Measure BB funds; the money has already been approved in the capital budget; the funding is currently sufficient through construction.

Councilmember/Commissioner Jensen inquired whether there is sufficient staffing for negotiations, construction, and project completion by 2025.

The Public Works Director responded in the negative; stated the project will begin construction by 2025.

Councilmember/Commissioner Jensen expressed support for the timeline; urged the project be prioritized; stated the hurdles of funding and staffing have been crossed; requested clarification about the status of neighborhood greenways.

The Planning, Building, and Transportation Director stated the project is under a separate CIP, the Active Transportation CIP, with roughly \$600,000 planned for use this year; staff has three bids from design company consultants to assist with converting existing slow streets with A-frame barricades to neighborhood greenways; part of the process includes collecting data and working with consultants to evaluate the best ways to implement neighborhood greenway; traffic circles, speed humps, and types of materials will be considered; staff expects to provide cost estimates and request allocations as part of every budget; the process is part of the 2030 slow street backbone network; completing the neighborhood greenways will complete the network.

Councilmember/Commissioner Jensen inquired whether there is sufficient staff and funding in the Active Transportation CIP's neighborhood greenway project.

The Planning, Building, and Transportation Director responded in the affirmative; stated the projects are complicated; the plan is to begin construction this year on at least one neighborhood greenway conversion; staff intends to research grants in the fall; staff has identified at least two grants to pursue and help subsidize construction.

The City Manager stated the neighborhood greenways network is large and crosses the City; staff does not believe the current \$600,000 in funding will be sufficient to complete everything, but does not want to request additional funding until the related costs are better understood; \$600,000 is enough to begin the project; staff can return at mid-year or the two-year budget process and ask for additional funding once there is a better handle on phasing; the neighborhood greenways project is a little different from other projects due to changing neighborhood streets; the project will require concerted outreach and effort to ensure people understand the changes being made; staff would like to move fast, but also wants to perform outreach regarding the changes; staff has been reallocated to prioritize focusing on the project.

Councilmember/Commissioner Jensen stated the expectations and initial scheduling may have been ambitious; expressed support for the reset, staffing, and funding for the project; stated that she appreciates the Vision Zero sites.

Mayor/Chair Ezzy Ashcraft stated that she is often asked about slow streets and neighborhood greenways; inquired what can be done in the interim; expressed concern over the projects being part of the 2030 backbone infrastructure plan; inquired about communication.

The City Manager responded staff is looking to take down the slow street barricades in the interim; stated originally, barricades were to be left up until greenway implementation; staff has fallen behind on the project and is trying to catch up; the delay has caused staff to take down the barricades; staff is not currently recommending the approach, but is considering it; staff is also looking to quick-build solutions, however, the options are not as attractive as the permanent solutions which cost more; the issue is complex and staff is looking at ways to phase the projects and move faster to remove the barricades in the meantime.

Mayor/Chair Ezzy Ashcraft inquired how and when the communication will begin with neighbors; stated there are many ways to communicate.

The Planning, Building, and Transportation Director responded the first step is to select a consultant; stated staff will likely choose a street similar to Pacific Avenue to kickstart the project; staff will need to understand the magnitude of improvement types; once a concept is in place, staff will begin neighborhood outreach; the implementation might vary for different streets; there will be discussions related to traffic calming for each situation.

The City Manager stated there are ways to communicate with neighbors upfront via survey or similar outreach that is not street-specific; should Council wish for staff to communicate sooner rather than later, staff can find a way to perform outreach upfront; the communication will provide expectations, but details will not be available yet.

Mayor/Chair Ezzy Ashcraft expressed support for the City providing information and outreach; stated it is good to hear from neighbors and understand concerns as a first step; staff can gather information from residents living the experience.

Councilmember/Commissioner Herrera Spencer inquired whether the outreach to neighbors includes only those living on Pacific Avenue or those on the cross-streets as well.

The Planning, Building, and Transportation Director responded the goal is to reach out to the community, not just the residents or property owners on the street; stated the streets are public and other users are present; the changes will impact the adjacent residents most; hearing feedback from others will not hurt; staff does not plan to limit the outreach at this time.

Councilmember/Commissioner Herrera Spencer inquired the timeline for completing the roads of Monarch Street and West Tower Avenue as well as adding lights to the area.

The Public Works Director inquired whether Councilmember/Commissioner Herrera Spencer's inquiry relates to the proposed permanent improvements or the temporary asphalt curbs.

Councilmember/Commissioner Herrera Spencer expressed support for not installing the

temporary asphalt curbs; stated that she would prefer an the lighting is updated.

The Public Works Director stated the City is finishing paving following the installation of the water main; the installation will occur over the next four weeks; staff will have the environmental design measures or temporary asphalt curbs to calm traffic and deter unsanctioned car events at Alameda Point; staff is also designing backbone infrastructure improvements and hopes to have the improvements in construction by 2026; there currently is lighting on Monarch Street and there is little lighting on West Tower Avenue; during the temporary asphalt curbs phase, staff will look into installing additional solar lighting.

In response to Councilmember/Commissioner Herrera Spencer's further inquiry related to signage, the Base Reuse and Economic Development Director stated the wayfinding signage planned has been installed; Spirits Alley signage has been added to sign posts; staff has put up more professional Spirits Alley signage at the end of Pan Am Way as well; staff has completed all intended signage work.

Councilmember/Commissioner Herrera Spencer stated the lettering is too small and the lettering is not visible; expressed support for staff viewing the signage at night; inquired what is being done Citywide for potholes.

The Public Works Director responded there is already \$300,000 in the 2023-2024 CIP; stated potholes are a continuing process; when the \$300,000 is refreshed in 2024-2025, staff will mobilize again and fill potholes.

Councilmember/Commissioner Herrera Spencer inquired whether the issue is related to not having funding or sufficient staff; requested clarification about how potholes form.

The Public Works Director responded the process is regular and ongoing; stated any city with paving has to deal with potholes; staff approaches potholes with two methods, a contractual service of \$300,000 providing a one-time mobilization and the City's streets and maintenance division; filling potholes is one of many things performed by the maintenance division; staff tries their best to stay on top of potholes; the City has a See Click Fix program for users to submit pothole fix requests.

Stated the social justice team and shelter operating partner at Christ Church and Episcopal Community Services are grateful for the City's continued support; last season, funds helped serve over 60 individuals; she anticipates the continued need for nighttime reprieve and would support the expansion into daytime services with Village of Love: Alisa Rasera, Alameda Warming Shelter.

Expressed support for the increase in funding for the Alameda Warming Shelter: Akesa Fakava, Twin Towers United Methodist Church, Alameda Warming Shelter.

Expressed support for the street safety funding and neighborhood greenway projects: Alex Spehr, Alameda.

Councilmember/Commissioner Vella expressed support for the warming shelter funding and related work; stated the service is necessary and the partnership is appreciated; it would be helpful for the City to have a future, separate, discussion on neighborhood greenways now that

the project is fully staffed; the process for neighborhood greenways matters; the City needs to ensure the process and design are reflective of all goals, versus only ensuring the project happens quickly; expressed support for the project happening sooner rather than later; stated the process will need to play out and staff will need to be as inclusive as possible while also allowing for the best design to occur; it would be helpful to have a separate agenda item return to Council to begin a more robust and thorough discussion; the discussion has begun and a future agenda item will help provide a better understanding of the overall timeline; the City has done a good job of trying to pay down the outstanding liabilities; she supports the huge return on investment with the City making additional payments; the payments are partially why the City is at a place of good fiscal health; expressed support for staff's approach and better understanding to ensure the City is making additional payments to avoid fiscal issues experienced by other neighboring cities.

In response to Councilmember/Commissioner Jensen's inquiry related to the City's fees to Alameda Unified School District (AUSD) for Encinal access, the Recreation and Parks Director stated an Encinal Pool project has been created with AUSD in order to gain daytime access; the joint use agreement for the Encinal Pool did not allow access during daytime hours, Monday through Friday due to the facility lacking security; staff initiated a project in agreement with AUSD to cover the cost of improving the security features to allow daytime access since Encinal Pool will be the only operating municipal pool in the summer while Emma Hood is being constructed; the cost for the project was roughly \$75,000.

Councilmember/Commissioner Jensen stated nothing is included in the budget to address the Emma Hood pool construction; the City is partnering with AUSD to help support programs displaced during construction; inquired how the costs will be addressed.

The Recreation and Parks Director responded the costs are already addressed within the current operating budget; stated AUSD will be paying fees to utilize City fields and courts in order to accommodate usage.

Councilmember/Commissioner Jensen stated that she would like to receive a brief summary of the improvements and services changes related to the upgrade of the Administrative Services Coordinator to the American's with Disabilities Act (ADA) Coordinator.

The Public Works Director stated the department has optimized its administrative staff to be able to repurpose a position to be dedicated towards ADA; an ADA transition plan will be presented at the second meeting in June; it details the prior year's evaluation of facilities and proposes a road map of improving accessibility; the position will primarily be involved in implementing the plan and will increase accessibility awareness throughout the City.

Councilmember/Commissioner Jensen expressed support for the position being included in the budget; stated that she supports the new turnout gear for the Alameda Fire Department (AFD); there are issues with the current chemicals within fire gear; inquired whether the new gear is enough or whether the City should be spending more to protect Firefighters.

The Fire Chief responded older turnout gear has been identified to contain per- and polyfluoroalkyl (pfas) substances in the vapor barrier; stated the vapor barrier is what keeps moisture from getting into the suits; older gear models allowed the pfas layer to touch the skin and new models have an encapsulated vapor barrier so that there is no contact with the skin;

the industry is working feverishly to come up with pfas free protective gear, however, the gear is years away; the proposed \$250,000 is to replace the remaining approximately 60 sets of turnout gear that do not have the encapsulated vapor barrier; all members of the Department will have the best possible gear available to protect from thermal impact during fires and against pfas.

Councilmember/Commissioner Jensen expressed support for the proposed budget.

Mayor/Chair Ezzy Ashcraft requested clarification about whether the amount of funding for AFD is sufficient.

The Fire Chief stated the amount is sufficient; the equipment is not at the highest level to protect Firefighters; the amount will replace all remaining pieces of equipment to allow the best level for all.

Mayor/Chair Ezzy Ashcraft expressed support for the equipment needs of AFD; stated public safety staff put their lives on the line at work and the City does not want to add to the hazardous situation with the supplied gear being worn.

Vice Mayor/Vice Chair Daysog expressed support for Alameda residents and businesses; stated property and sales taxes and fees paid allow the City to be in the situation of relative abundance; expressed support for City staff for always being frugal; stated the result of frugality has allowed the City to experience impressive fund balances; the goal is to have a policy of 25% in fund balance; the prior year yielded a fund balance of roughly \$24 million; with the residual fund balance of \$35 million, the total unassigned fund balance is almost \$60 million; while the balance is something to celebrate, Council and the City must always be careful of the economic headwinds that the community and Country are in; things can change; as the City ramps up its Police force and spend dollars on the workforce, the amounts will cut into the gap between revenues and expenditures; the gap has allowed the City to enjoy the present fund balance; the City must continue to be vigilant regarding expenditures; expressed support for the attention paid to the transportation matters previously discussed; stated that he would like the funding for different elements of Jean Sweeny Park to be considered; Alameda is doing great in its fiscal position and other cities' budgets are not as healthy; Alameda is an Island and must be careful in how City Hall is conducted.

Councilmember/Commissioner Jensen stated the budget report was prepared prior to the recent point-in-time count event; inquired whether the \$50,000 budget request for the warming shelter is sufficient considering potential additional needs and the increase in unhoused individuals in Alameda.

The City Manager responded additional expenditures have been presented to increase homeless prevention and outreach; staff can provide shelter, but staff is also working to prevent people from becoming homeless; the approach is effective and keeping people housed less expensive; \$185,000 has been added to the budget for related purposes; a presentation slide references the day use center and safe parking locations; the program not only relates to relocating, it adds shelter beds and safe parking spaces for increased capacity; staff is not recommending anything additional at this time; staff needs to better understand the numbers and perform research; staff will return with an item in the fall to provide an update on progress being made on efforts regarding homelessness; staff can decide whether to request additional funding at the midyear budget; staff is currently confident in the proposed recommendation.

Councilmember/Commissioner Jensen expressed support for funding the day center and safe parking programs.

Mayor/Chair Ezzy Ashcraft discussed a farm-to-table luncheon at Alameda Point Collaborative; stated a report on the Wellness Center construction was provided at the event; the Wellness Center will provide 100 spaces for frail, elderly, homeless residents.

Councilmember/Commissioner Jensen stated the City has a fund balance and there are needs in the community; she is appreciative of staff's work to maintain accurate funding projections for revenues and expenses; the City can look forward to funding programs for the most vulnerable population.

Mayor/Chair Ezzy Ashcraft stated that she understands and supports the references made to economic headwinds being faced and the potential financial uncertainty; expressed support for the budget recommendations; requested staff to share plans for the new Village of Love day center and safe parking.

The City Manager stated the program will be located at Building 2 at Alameda Point, also known as the Bachelor's Enlisted Quarters; the program is within the footprint of the Rebuilding the Existing Supportive Housing at Alameda Point (RESHAP) project and will be moving towards construction in a couple of weeks; the space is not in the direct footprint of the first phase, but will be surrounded by construction and demolition; staff is actively working to upgrade the wing of Building 2 near the field; significant upgrades must be made; the upgrades will allow the City to expand the number of beds, parking spaces and provide a longer term solution which does not require an additional move.

Councilmember/Commissioner Herrera Spencer stated \$15 million has been allocated for the swimming pool; she attended a recent meeting about the two-pool design; inquired the plan based on community support for an Olympic sized pool.

The Recreation and Parks Director responded the approximate cost to-date between the two-pool solution and the single pool solution for the 50-meter option are about the same and are within about one million dollars in price of each other; as the project is designed, the price will become more solidified and staff can determine the true cost comparison; the current conservative estimate for both options is \$30 to \$31 million.

Councilmember/Commissioner Herrera Spencer stated there is a requirement to not have adults mixing with students during school hours; expressed support for the security solution and the ADA position in Public Works; stated accessibility is often left behind; designating an ADA to oversee improvements is appreciated; expressed concern over AFD staff being exposed to carcinogens; requested clarification about funding identified as not received.

The Finance Director stated interest rates have increased which has caused the housing market to slow; the City has lost anticipated revenues in residential and commercial real estate and TOT markets; interest rates have also hit auto sales which are likely to recover quickly; the City's transaction and use tax has slowed down largely due to interest rates; staff is seeing that automobile dealerships are self-financing and deals are available; the result has been an approximate \$500,000 downgrade in use tax.

Councilmember/Commissioner Herrera Spencer inquired how the resulting financials are being built-in and what is being done to anticipate the future.

The Finance Director responded the current economic time is interesting; stated forecasting is built into the revenues and will be monitored; the City has good consultants for sales and property tax; it is anticipated economic recovery will take a couple of years; the Measure F transaction use tax will recover by the end of the next fiscal year.

Councilmember/Commissioner Herrera Spencer stated that she hopes the economy becomes stronger; inquired whether there is a status update on the improvements being made to the Civic Center parking garage; stated there are ongoing concerns related to parking in the structure.

Mayor/Chair Ezzy Ashcraft requested an update also be provided for the elevator within the parking garage.

The Public Works Director stated Council has approved \$1 million for improvements to the Civic Center parking garage; the improvements were approved as part of the 2023-2024 budget; since the time of approval, staff has procured the services of and been working with an architectural firm; the goal is to have the project bid by this coming summer with construction beginning in the fall; the improvements will primarily include an ability to close the facility at night and restrict access to the upper floors; elevator continuity issues has been due to vandalism; there is hope that the safety improvements will improve the elevator continuity of service; additional lighting and painting will also be included in the improvements in order to appear more inviting and safe; staff has recently installed some temporary fencing restricting access to the upper and bottom floors in order to prevent the establishment of encampments and loitering; the lighting in the stairwells has been improved as well.

Councilmember/Commissioner Herrera Spencer stated safety for the parking garage is critical; expressed concern over the issues occurring and vandalism related to the elevator; stated the City has a difficult time keeping up with the vandalism; urged issues be reported.

Mayor/Chair Ezzy Ashcraft inquired the current status of the elevator in the parking garage, to which the Public Works Director responded the elevator is operational.

Mayor/Chair Ezzy Ashcraft stated the elevator is an ADA issue and will likely be addressed by the ADA Coordinator; requested clarification that work on the parking garage will begin in the summer.

The Public Works Director responded the plan is to have a final design drawings by summer and the project will go out for bid; the goal is to have Council approve construction in September.

Mayor/Chair Ezzy Ashcraft stated that she would like to understand the end date for the improvements.

The Public Works Director stated construction will likely start in October or November and will last about four to five months; the project is not anticipated to be complete this calendar year.

Mayor/Chair Ezzy Ashcraft concurred with comments; expressed support for staff's work on the matter; stated staff is working for the City to be fiscally conservative and the approach is appreciated; there is temptation to spend funding on projects; the City has been prudent and has financial reserves; there is funding for fire inspections; discussed the aquatic center project at Jean Sweeney Park; stated Alameda is an older city with older housing stock; a number of homes appear to be fire hazards; AFD is allowed to inspect commercial buildings and multi-family properties; single family residences need to be reported to Code Enforcement; expressed support for staff returning to Council with ways to be proactive about residential fire hazards; discussed the property transfer tax estimate being lower; questioned when the revenue becomes excess; stated the report includes a recommendation to Council for developing a policy for excess transfer tax revenues and allowable expenditures; inquired the steps needed to address the matter as a Council agenda item.

The Finance Director responded staff is working on a comprehensive budget policy for Council to discuss; stated that she would like to bring something forth regarding real estate transfer tax; her previous employer had a policy that helped define excess real estate transfer tax and its uses, which allowed for a smoothing equation over one-time and ongoing revenues; the policy process is prudent for Charter cities.

Mayor/Chair Ezzy Ashcraft expressed support for the matter returning to Council; inquired whether Council needs to provide a motion to approve the mid-cycle budget update.

The City Manager responded the agenda item is a work session and she has not heard any changes to the proposed budget; stated there were no proposed changes to the additional uses for residual fund balance and other items, which staff will include in the proposed budget.

In response to Councilmember/Commissioner Herrera Spencer's inquiry related to the Friends of the Alameda Animal Shelter (FAAS), the City Manager stated staff will bring back a resolution allocating additional funds to help close a deficit from FAAS; the amount will be a payment to FAAS to help cover some shortfalls in this fiscal year; the matter will be retroactive.

Mayor/Chair Ezzy Ashcraft outlined the Council alternatives for the workshop as listed in the staff report.

The City Manager expressed support for City staff's work on the matter; stated the process is important.

Mayor Ezzy Ashcraft called a recess at 8:59 p.m. and reconvened the meeting at 9:17 p.m. and Councilmember Vella returned at 9:32 p.m.

(24-307 CC) Public Hearing to Consider Resolution No. 16165, "Amend Master Fee Resolution No. 12191 to Revise the Fee Schedules for the Alameda Recreation and Parks Department, Planning, Building and Transportation Department, Public Works Department, Finance Department, and the Fire Department." Adopted.

The Planning, Building and Transportation Director gave a Power Point presentation.

Councilmember Herrera Spencer inquired whether there is a redline version of the master fee schedule exhibits.

The Planning, Building, and Transportation Director responded staff could produce one, however, the entire fee schedule was reorganization makes it difficult to show a redline; stated many fees have been deleted and new fees added; staff has moved sections and fees around.

Councilmember Herrera Spencer stated the report indicates Alameda Recreation and Parks Department (ARPD) is increasing swimming fees; inquired how the change in fees would be messy to show.

The Recreation and Parks Director stated the fees being raised for semi-private and private swim lessons through ARPD are increasing about 20%; the increase is roughly \$12 for private and \$9 for semi-private swim lessons per session; semi-private lessons are defined as one to three individuals versus single; private lessons take the longest amount of time; group swim lessons have not been modified and are still priced at the lowest amount of \$6 per lesson.

Councilmember Herrera Spencer inquired whether there have been changes to field costs.

The Recreation and Parks Director responded the fees are typically raised in November or December of the prior year; stated the field allocations start at the beginning of the year; staff brought the fees last November and December; the current process is an attempt to maximize the Encinal Swim Center by offering 19 sessions of swim lessons per day during an eight-week period; the staff costs in order to cover the fees for the budget required an increase in the semi-private and private swim lessons.

Councilmember Herrera Spencer further inquired about the possibility of having a redline document and why it was not presented.

The City Manager responded the Planning, Building, and Transportation Director provided a response; stated sometimes a redline document is very different and would not be productive to produce.

Mayor/Chair Ezzy Ashcraft inquired whether the swim lesson fees remained unchanged for three years.

The Recreation and Parks Director responded swim lesson and pool rental fees have remained consistent; stated the fees were not raised as part of the last fee increase in November and December.

Councilmember Herrera Spencer inquired the procedure for false alarm appeals.

The Fire Chief responded people can contact Fire Administration for false alarm billing inquiries.

Councilmember Herrera Spencer inquired whether there is a phone number for appeals, to which the Fire Chief responded the number is listed on the City's website.

Councilmember Herrera Spencer inquired whether there is an email listed, to which the Fire

Chief responded in the negative; stated the AFD phone number is listed as well as a general department email which is checked daily; when residents receive an invoice, billing contact information is included when residents receive an invoice.

Vice Mayor Daysog discussed an ambulance fee of \$2,500 from 2017; stated insurance paid for most of the fee; ambulance fees are currently roughly \$3,600; the comparison of \$2,500 to \$3,600 seems to be a steep increase for individuals without insurance; inquired the process in place for those with no insurance or have low to very low income.

The Fire Chief responded the ambulance and transport service fees is at the direction of the County; Alameda County decides the fees based on the private, contracted transport provider, Falck Ambulance; the algorithm provides the allowable billing; agencies with transport have the ability to adopt the same fee; the City has a revamped hardship policy as directed by Council several years ago; the policy is more user-friendly and is tied to Federal poverty guidelines; if someone receives a bill and has a financial hardship, the billing company can be contacted and a payment plan is set up or the person is referred to AFD for a financial hardship application; determinations are made based on the poverty scale; the policy can be applied to any portion of the billing.

Mayor Ezzy Ashcraft stated residents should be grateful that Alameda has its own ambulance transport services; discussed a recent Alameda County Mayor's Conference meeting presentation; stated cities under other transport systems are dealing with problems and delays; Alameda is well-served by AFD's transport.

Councilmember Jensen stated the City chose to freeze ARPD fees for two years; some of the athletic facilities fees were raised in 2023.

The Recreation and Parks Director stated there has been a focus on fees that solely benefit individuals, not groups or the larger general public; staff focused fee increases incrementally on privatizing space and groups using space; ARPD has kept fees at or below market rate.

Councilmember Jensen inquired whether the Alameda Point Gym and athletic field fee are increasing.

The Recreation and Parks Director responded the only fees currently being increased are the semi-private and private swim lessons; the normal fee schedule will be brought before Council in November; no other ARPD fees are being increased in the proposed recommendation.

Mayor Ezzy Ashcraft expressed support for staff's work on the report; stated the report is thoughtfully laid out; services do not pay for themselves and the City strives to provide high-level services.

Councilmember Herrera Spencer moved adoption of the resolution.

Councilmember Herrera Spencer stated significant changes to billing are being made in the Planning Department; inquired whether users receive a survey.

The Planning, Building, and Transportation Director responded in the affirmative; stated part of the permit system includes sending automated communications to applicants; once a permit is

issued, a survey is sent.

Councilmember Herrera Spencer inquired whether the results are presented to Council.

The Planning, Building, and Transportation Director responded staff can present the results to Council; stated staff tracks the feedback; questions pertain to customer service, turnaround times, and are mostly process-related.

Councilmember Herrera Spencer inquired whether survey recipients have a section for feedback on new fee structures.

The Planning, Building, and Transportation Director responded staff has been messaging permit applicants and developers about fee increases; stated most applicants expected the fees to increase due to the lack of increases during the pandemic.

Councilmember Herrera Spencer expressed support for a question being included in the survey related to the increase.

The Planning, Building, and Transportation Director noted questions can also be added at various points throughout the permitting process.

Mayor Ezzy Ashcraft discussed users from other jurisdictions and cities trying to use the Alameda plan check process due to service and turnaround time.

Councilmember Vella seconded the motion.

Under discussion, Vice Mayor Daysog stated that he will support the fee schedule as recommended; noted the ambulance fee schedule increase of almost 55% is set at the County level; stated a hardship process is available; expressed support for the City Manager providing Council with data regarding those taking advantage of the hardship process; stated the fee increase is significant for uninsured individuals.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: Aye; Jensen: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 5.

ADJOURNMENT

There being no further business, Mayor/Chair Ezzy Ashcraft adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, SACIC

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY - - MAY 21, 2024 - -7:00 P.M.

Mayor Ezzy Ashcraft convened the meeting at 9:45 p.m.

ROLL CALL - Present: Councilmembers Daysog, Herrera Spencer, Jensen, Vella, and Mayor Ezzy Ashcraft – 5. [Note: Councilmember Vella was present via teleconference from 191 Dorrance Street, Providence, RI 02903 and left the meeting at 11:13 p.m. and Councilmember Herrera Spencer left the meeting at 11:49 p.m.]

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

None.

ORAL COMMUNICATIONS, NON-AGENDA

(24-308) Jeannia Fu, Alameda Friends and Family for Ceasefire (AFF4C), discussed the genocide in Palestine; stated she is upset with Council for remaining quiet on the issue.

(24-309) Roan Byrne-Sarno, AFF4C, discussed the genocide in Palestine; urged Council to listen to the residents of Alameda.

(24-310) Doyle Saylor, Alameda, discussed drones; stated there needs to be an understanding of what AI (Artificial Intelligence) does to transform public knowledge.

(24-311) Cam, AFF4C, urged Council to pass a policy to ensure our investments and city does not directly work with corporations that profit from genocide, ethnic cleansing, and activities that violate fundamental human rights.

(24-312) Tod Hickman, stated he does not agree with Mayor Ezzy Ashcraft's actions throughout the meeting, as well as in previous meetings.

CONSENT CALENDAR

Councilmember Herrera Spencer requested the Rise Housing Solutions agreement [paragraph no. 24-321] and Rules of Order [paragraph no. 24-326] be removed from the Consent Calendar for discussion.

Mayor Ezzy Ashcraft stated those items will be moved to the end of the agenda and she cannot guarantee they will be heard tonight; questions may be asked without having to pull an item; inquired if Councilmember Herrera Spencer would like to pull the item.

Councilmember Herrera Spencer responded if the item is not pulled, she would get 3 minutes total to speak on consent items.

Mayor Ezzy Ashcraft stated one also has 3 minutes when the item comes back.

The City Clerk responded Councilmembers get 5 minutes to speak when the item comes back.

Mayor Ezzy Ashcraft inquired whether she wanted to expand her speaking time, to which Councilmember Herrera Spencer responded in the affirmative; stated she would like to speak about both items and ask questions; 3 minutes is not enough time for both items.

Mayor Ezzy Ashcraft inquired whether item 5-D is time sensitive, to which the City Manager responded in the negative.

Mayor Ezzy Ashcraft stated at 10:45pm, Council will vote on what will be heard after 11pm; inquired whether 5 minutes per item would be sufficient.

Councilmember Herrera Spencer responded she is supportive of the current rules, stating the items will return at the end of the meeting; stated the item has been pulled and she does not want to continue wasting peoples' time.

Mayor Ezzy Ashcraft stated delaying the opportunity to help people receive below-market home ownership opportunities is unfortunate.

Councilmember Vella stated that she would recuse herself from the floodplain ordinance [paragraph no. 24-320].

Councilmember Vella moved approval of the Consent Calendar with hearing the Rise Housing Solutions agreement after the Consent Calendar or during continued agenda items.

Mayor Ezzy Ashcraft inquired what staffs' suggestion would be.

The City Manager responded the items may be bumped to the next meeting or placed at the end of the agenda and get to it if there is time; stated staff would like to get to the items but they are not time sensitive; if there are questions from only one Councilmembers and not many speakers, perhaps it can be done quickly.

Mayor Ezzy Ashcraft inquired whether other Councilmembers have questions on item 5-D.

Councilmember Jensen responded she has no questions on any consent calendar items.

Vice Mayor Daysog responded he has no questions on any consent calendar items.

Councilmember Vella responded she has no questions on any consent calendar items.

Councilmember Vella amended her motion to approval of the Consent Calendar with hearing the Rise Housing Solutions agreement next and continuing the Rules of Order to the continued section at the next regular meeting [June 4, 2024].

Councilmember Jensen seconded the motion.

Under discussion, Councilmember Herrera Spencer stated she will not be supporting this motion, as the City Manager stated it is not important it be heard today.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*24-313) Minutes of the Special and Regular City Council Meetings Held on April 16, 2024. Approved.

(*24-314) Ratified bills in the amount of \$5,282,583.24.

(*24-315) Recommendation to Authorize Updates to the Existing Alameda Police Department Policy Manual to Conform to Best Practices and to Ratify Policies that Have Been Updated Pursuant to Legal Updates, Significant Liability Issues, and Imminent Safety. Accepted.

(*24-316) Public Hearing to Consider Adoption of the Community Development Block Grant/HOME Investment Partnerships Program Fiscal Year 2024-25 Action Plan; Authorize the City Manager to Use Permanent Local Housing Allocation Funds; and Authorize the City Manager to Negotiate and Execute Related Documents, Agreements, and Modifications at Funding Levels Approved by Congress. Accepted.

(*24-317) Recommendation to Authorize the Purchase of One Truck Mounted Leaf Vacuum for an Amount Not-to-Exceed \$241,435.76 from Municipal Maintenance Equipment, Consistent with the Vehicle Replacement Policy. Accepted; and

(*24-317 A) Resolution No. 16166, “Amending the Fiscal Year 2023-24 Operating and Capital Budgets by Reducing Revenue and Expenditures Appropriations in Capital Improvement Project C31000 (301) by \$205,436 and Increasing Revenue and Expenditures in the Vehicle Replacement Fund (601) by \$205,436 to Fund the Purchase of One Truck Mounted Leaf Vacuum.” Adopted.

(*24-318) Resolution No. 16167, “Approving a Tentative Map (Tract 8674) to Subdivide a 0.47-Acre Parcel (PN 072-0383-007-05) to Create Ten Townhome Lots and Two Common Area Parcels within a Remainder Portion of the Del Monte Warehouse Master Plan Area.” Adopted.

(*24-319) Resolution No. 16168, “Amending the Salary Schedule for Part-Time Classifications Effective June 2, 2024 to Reflect Changes to the City of Alameda Minimum Wage and to Maintain Adequate Differentials Between Part-Time Job Categories.” Adopted.

(24-320) Ordinance No. 3370, “Amending the Alameda Municipal Code by Repealing Current Chapter XX (Floodplain Management) in Its Entirety and Adopting a New Chapter XX (Floodplain Management) to Implement the City of Alameda General Plan and the Climate Adaptation and Resiliency Plan and Make Other Technical Amendments.” Finally passed.

Since Councilmember Vella recused herself, the matter carried by the follow vote: Ayes: Councilmembers Daysog, Herrera Spencer, Jensen and Mayor Ezzy Ashcraft – 4. [Absent: Councilmember Vella – 1.]

CONSENT CALENDAR - ITEM REMOVED FOR DISCUSSION

(24-321) Recommendation to Authorize the City Manager to Execute a Twenty-Five Month Agreement with Rise Housing Solutions to Provide Inclusionary Housing Homeownership Buyer Selection Services, Based on the Updated Annual Below Market Rate Homeownership Lottery Procedures, with a Total Compensation Amount Not-to-Exceed \$180,000.

Councilmember Herrera Spencer expressed concern about the order in which the item is being heard; stated one company would streamline everything; expressed concern about people not having the same opportunity to apply when it is all going through one company; stated it could negatively impact people applying for affordable housing.

The Housing and Human Services Manager responded staff has proposed a single lottery process; stated the pipeline is growing faster now than it has in the previous over 10 years; there is a lot more construction happening; staff noticed buyers drop out of one lottery to enter another when developers are offering units; the idea is to have one application portal open year-round so there is only one place to check the application status; people will still be notified as units become available and will be given an opportunity to opt in to the particular development; applications would only be considered after someone has opted in for consideration.

Councilmember Herrera Spencer inquired if people are interested would they apply for all affordable housing in the City, not just one development.

The Housing and Human Services Manager responded people are opting to be considered for any home that becomes available in the future.

Councilmember Herrera Spencer inquired about the company selection process.

The Housing and Human Services Manager responded in the past, Hello Housing predominantly managed all units offered in inclusionary housing; when they stopped taking clients, staff put out a Request for Proposal (RFP) and only one firm applied; staff entered an agreement with that firm, which was terminated after one year; staff next selected Rise Housing to administer the City's below market rate program; Rise has been following the City process, including advertising and marketing, which generated sizable interest.

Councilmember Herrera Spencer inquired whether there was an RFP current agreement, to which the Housing and Human Services Manager responded in the negative; stated an RFP was not done for the proposed pilot.

Councilmember Herrera Spencer inquired the length of the pilot.

The Housing and Human Services Manager responded 2 years.

In response to Councilmember Herrera Spencer's inquiry, the Housing and Human Services Manager stated Rise will be paid approximately \$9,000 per unit sold, not to exceed \$180,000.

Councilmember Herrera Spencer inquired whether the amount is per year, to which the Housing and Human Services Manager responded it is for two years and would be based on the total number of units sold in the 25-month period.

The City Manager stated the cost is paid by the developer, not the city.

Councilmember Herrera Spencer inquired if the developer paying the gets added on to the units

The Housing and Human Services Manager responded in the negative; stated developers currently select the providers; staff is hoping to reduce the cost by having a single process; having everything happen once, as opposed to 3 to 4 times, creates economies of scale.

Councilmember Herrera Spencer stated she will not be supporting the item; she believes an RFP should have been done; expressed concern about changing the way homes are offered; stated people should have the opportunity to become educated on another property and switch lotteries; people will not be afforded the same opportunity to choose where they would like to live.

Mayor Ezzy Ashcraft inquired whether anyone would be forced to buy a house they do not want, to which the Housing and Human Services Manager responded in the negative; clarified the marketing would remain the same; stated staff requires developers to make flyers and run newspaper ads so the information would hopefully be communicated to a broader number of potential buyers.

Mayor Ezzy Ashcraft stated the City has and should continue to protect renters and make sure they have housing security and do not become housing insecure or possibly homeless; when talking about home ownership opportunities for low income individuals, below-market housing opportunities give people a greater sense of security; there is a lot of discussion about generational wealth, which most hold through real estate, which renters do not typically have; she applauds staff and the City for the program.

Vice Mayor Daysog stated the process of buying a home is complicated; there is virtue in having a streamlined setup; those interested in buying a first-time home have the ability to do so and submit one application, as opposed to many separate applications; expressed support; piloting the program for 2 years sounds like a reasonable amount of time; in two years, Council will re-evaluate and assess whether it should continue or if an RFP should be done.

Vice Mayor Daysog moved approval of the staff recommendation.

Councilmember Herrera Spencer stated that she appreciates the presentation, however there is a difference when each developer gets involved and tries to promote their product and do their own outreach.

Councilmember Jensen seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye; Herrera Spencer: No; Jensen: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

CONTINUED AGENDA ITEMS

(24-322) Ordinance No. 3371, "Amending the Alameda Municipal Code by Adding Section 7-9.9 (Animal Testing Ban) to Article 7-9 (General Provisions) of Chapter VII (Animal Control) to Prohibit Animal Testing and Experimentation on Property Owned or Controlled by the City of Alameda in its Proprietary Capacity." Finally passed.

Councilmember Herrera Spencer stated that she pulled the item; the title includes the words “Animal Testing Ban,” however, to her understanding, animal testing has not been banned; she brought forth a referral alongside Councilmember Vella to ban animal testing on City owned property; changes were made to follow what is allowed by State and federal law; inquired why the title was not changed to properly reflect the changes made allow animal testing; stated it is misleading to say “ban” and “prohibit” when that is not the case.

The City Attorney responded the ordinance in question, although much smaller in scope than the one originally proposed, still precludes animal testing if it is not otherwise in anticipation or as part of a Food and Drug Administration (FDA) program; stated a subset of animal testing would be prohibited by the ordinance; the title passes Brown Act standards; at first reading, Council has the flexibility to engage in editorializing the ordinance; at second reading, it is simply ministerial implementation of the Council’s changes from first reading, which the City Clerk has done correctly; at this point, any changes proposed would convert the second reading to a first reading.

Councilmember Herrera Spencer inquired what type of animal testing is happening in the City that is not related to the FDA; inquired whether the City Attorney is suggesting companies conducting animal testing have nothing to do with FDA requirements, whether it is anticipated or required.

The City Attorney responded that he does not have personal information on what every business is engaged in; stated when Council legislates, it legislate in a broad way; hypothetically, it is possible that animal testing occurs in a different context.

Councilmember Herrera Spencer inquired whether the City Manager has any factual information about the topic, to which the City Manager responded in the negative.

Councilmember Herrera Spencer stated that she doubts there are any companies conducting animal testing that is not anticipated or required by the FDA and it is unfortunate for anyone to suggest so; the referral was brought to ban animal testing on City owned property, of which there are not very many buildings doing so; she suggested banning animal testing on primates, which was met with a no; to her understanding, the “ban” allows animal testing on primates.

The City Attorney responded as written, it would be authorized if the animal testing in anticipation of or as part of an FDA testing program.

Councilmember Herrera Spencer inquired about animal testing on primates.

The City Attorney responded Council could have other regulatory or proprietary tools, but the prohibition would not apply.

Councilmember Herrera Spencer requested clarification about whether animal testing on dogs and cats is allowed in City owned buildings under this “ban.”

The City Attorney responded that his answer remains the same; stated the prohibition would not apply, but Council may have other regulatory or proprietary tools in place.

Councilmember Herrera Spencer stated that she suggested limiting testing to rats and mice,

which was also denied; inquired whether any animals would be allowed to be tested on if there is approval by the FDA.

The City Attorney responded that his answer remains the same.

Councilmember Herrera Spencer inquired whether the ban is apparent wayward companies conducting animal testing that is not at all connected with FDA requirements, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer stated it is a misnomer to say that this is a ban; it is unfortunate and hypocritical; she believes it should be brought back to clarify this is not a ban but rather an allow, which is a more appropriate title; people may search the Code and think it is a ban, however, once read, people will find that is not so.

Councilmember Jensen inquired if she were to conduct a search after the ordinance has passed, will the Code say “ban” or will it direct her to the language of the ordinance.

The City Attorney responded the full text of the ordinance would be pulled up for anyone to read.

Stated this is a promotion of animal testing in Alameda; the ban misleads people; this a bad move and violates the morals of Alameda: Tod Hickman.

Stated animal testing, which is a federal requirement, leads to innovations that cause lifesaving interventions for patients; Council has struck a balance; the conversation is about how access to patient care will be expedited: Rob Chua, California Life Sciences.

Stated that he testified on the issue in April; he looks forward to the day animal testing is no longer necessary, however, that day is not here yet; many interventions that have come out of California have led to vaccines and cures, which have saved many lives; encouraged Council to vote for the language, which creates a reasonable exemption for testing as part of FDA approval and other listed federal agencies: Alex Khan, California Chronic Care Coalition.

Encouraged Council to support the ordinance as written and approved in April to ensure lifesaving biomedical research continues to thrive and benefit the world for human and animal health; researchers use alternatives to animal models whenever legally and scientifically possible; over 95% of all animals needed for medical research in the United States are rodents, specifically bred for this purpose: Amanda Banks, California Biomedical Research Association.

Councilmember Herrera Spencer moved approval of changing the language from “animal testing ban” to “allow animal testing” and replace “prohibit” with “allow.”

Councilmember Jensen inquired what the result of the ordinance would be if Council were to adopt changing the title.

The City Attorney responded Council would be effectively directing that this become a first reading of the ordinance as substantive changes would be made.

Councilmember Jensen second the motion.

Under discussion, Councilmember Jensen stated there has been valid input regarding the title of the ordinance; as far as she is aware, there are no leases currently being looked at so there is no urgency.

Mayor Ezzy Ashcraft expressed concern about matters being brought back requiring staff time and effort; stated that she is unsure when staff would have time to bring the item back between now and the August recess.

(24-323) Mayor Ezzy Ashcraft suggested Council hear the Alameda Marina Park naming item [paragraph no. 24-324] and that the military equipment report [paragraph no. 24-325] be continued.

Councilmember Herrera Spencer moved approval of the Mayor's suggestion.

The City Attorney inquired whether Council would consider opening item military equipment report and continuing it; stated doing so would save staff a lot of time.

The City Manager stated there are many items on the June meeting agendas; she wants Council to be aware that not being able to get through the agendas will impact what business may be performed in the city.

Mayor Ezzy Ashcraft inquired what staff suggests be done with the motion.

The City Clerk stated item the military equipment report can be introduced and opened now so Council may continue it.

The City Attorney concurred.

The City Clerk introduced and opened item the military equipment report.

Mayor Ezzy Ashcraft stated this means the item can return to Council on June 4th; inquired whether the item can be first under the continued items section, to which the City Clerk responded in the affirmative.

Councilmember Jensen stated she missed the motion where Council made an agenda change to hear the item; there was no motion and Council did not take any action.

Mayor Ezzy Ashcraft stated the item was open so it may be included in the motion.

The City Attorney stated if Council does not wish to do so, they may vote no on the motion however, it is staff's recommendation to open the item tonight.

Mayor Ezzy Ashcraft stated Councilmember Jensen has the right to make a substitute motion.

Councilmember Jensen expressed concern about the agenda being changed without a motion made; stated perhaps she may not understand that an agenda item may be opened at any time without changing the agenda order.

Mayor Ezzy Ashcraft stated although not done often, it is being done to be able to vote on the

motion made by Councilmember Herrera Spencer.

The City Attorney stated Council retains complete flexibility if it wishes to hear the item tonight; by the City Clerk reading the title, Council is being given the ability to make the motion right now.

Mayor Ezzy Ashcraft stated if the motion was not made now, staff would have to go through the whole process when it came back to Council.

Councilmember Jensen stated that she is questioning the item being opened without any motion being made to change the agenda; if Council can open any item to facilitate discussion or a future hearing at any time, that is fine, however, she did not understand that to be the case.

The City Clerk clarified Councilmember Jensen is asking for a separate motion to move up the military equipment report to open it and then have another motion on continuing the matter; for expeditiousness and because Councilmember Herrera Spencer had moved that the item be continued, the actions are being lumped into one motion.

Councilmember Jensen stated that is fine.

Mayor Ezzy Ashcraft inquired whether everything has been incorporated into the motion made, to which the City Clerk responded in the affirmative; stated what is needed now is a second.

Vice Mayor Daysog seconded the motion, which carried by the following roll call vote: Councilmembers Daysog: Aye, Herrera Spencer: Aye; Jensen: No; Vella: Aye; and Mayor Ezzy Ashcraft: Aye. Ayes: 4. Noes: 1.

Councilmember Vella made a substitute motion to move final passage of the ordinance.

Councilmember Vella expressed concern with changing the wording; stated doing so would make it less clear because the City is not allowing for animal testing; it is more nuanced.

Mayor Ezzy Ashcraft seconded the motion.

Under discussion, Mayor Ezzy Ashcraft stated that she has immense respect for the scientific and medical community who have come to explain their support of the item as is.

Vice Mayor Daysog discussed past items, meetings, and referrals that led up to the ordinance; stated it began because Science Corp wanted to lease space at Alameda Point and a number of residents approached Council with concerns; Science Corp did not get the four votes required; a majority of Council decided animal testing is okay as long as testing or experimentation is performed as part of research related to anticipated or actual filings by the FDA and other agencies; this is not a ban, or even a limited ban, on animal testing because biological companies that perform animal testing and come to Alameda are going to conform to FDA standards and regulatory filings; under this, Science Corp is now allowed to establish shop on City owned property; it is important to make the distinction on City owned property because Council was not precluding animal testing in the City; he is not in support of the motion because it is disingenuous to say animal testing is being banned in Alameda, even in a limited sense; residents of Alameda should be told straightforward that the majority of Council feels like animal

testing is needed on City owned property; continues to support the absence of animal testing on City owned property at Alameda Point.

Mayor Ezzy Ashcraft inquired whether it is true that Councilmember Daysog would not support this item no matter the title, to which Vice Mayor Daysog responded in the affirmative.

Councilmember Vella stated it is disingenuous to say Science Corp, or a specific tenant, is going to be moving into Alameda Point; this is an ordinance, not a lease; Council still retains the right to make decisions on individual leases and 4 votes are still required; she wants the public to be aware that a lease is not up for a vote tonight nor was it agendaized; people on the dais have received political contributions on both sides of the issue; corruption does not necessarily mean that is what is actually happening for anybody; rather that loosely throwing around allegations, she would love to see somebody back something up; staff was directed to come up with a policy regarding Alameda Point; she is not in support of animal testing; she has signed petitions regarding upcoming considerations and policies by the FDA and encourages colleagues, or anybody who has not already done so, to do the same; expressed concern about a potential tenant who came before Council and was not willing to engage in conversations around limitations, specifically to FDA related requirements; encouraged those interested in changing FDA requirements to engage in advocacy efforts; stated that she supports the language before Council.

On the call for the question, the motion carried by the following roll call vote: Councilmembers Daysog: No; Herrera Spencer: No; Jensen: Aye; Vella: Aye and Mayor Ezzy Ashcraft: Aye. Ayes: 3. Noes: 2.

REGULAR AGENDA ITEMS

(24-324) Recommendation to Provide Direction on Naming the Park at Alameda Marina as Svendsen Maritime Park Based on the Background Investigation Report.

The Recreation and Park Director gave a brief oral presentation.

Encouraged Council to name the park Svendsen Maritime to honor, not only Svend Svendsen, but the employees and customers: Natalie Page, El Cerrito.

Stated it is the City's responsibility to honor the request of naming the park after Svend; Alameda's Historical Advisory Board's purpose statement reads "...promote the educational, cultural, and economic welfare of the city by preserving and protecting historical resources that serve as visible reminders of the history and heritage of Alameda"; you cannot discuss the history of Alameda Marina, without talking about Svend: Amanda Pangelina, Alameda.

Stated Svend provided jobs for hundreds of people and invested a lot of time and money into the community; it is important to recognize his contributions and preserve some legacy of Alameda's maritime community; he pledges to build an educational and interactive art piece for the park: Jeff Daniels, Svendsen's Marine.

Stated Svend touched and improved countless peoples' lives in meaningful ways; Svend is entirely responsible for turning Alameda into the epicenter of recreational boating in the Bay Area for almost six decades; the park will be located in the precise spot Svend launched the greatest boat he ever built, a 90-foot custom houseboat; his notoriety as a helpful leader

extended far and wide: Sean Svendsen.

Expressed support for the recommendation; stated the name honors the impact her father had on the community and the Bay Area; Svendsen's Boatworks operated for almost six decades; it was a magnet that pulled in boaters from many areas of the Bay and beyond: Sabrina Svendsen.

Stated while working with Svend, she quickly recognized the positive impacts he had on the community, especially within the maritime sector; his contributions made him a beloved figure; she witnessed the positive influence he had on the Hispanic population; Svend was a father figure to her and many in the community; he supported countless individuals, schools, and nonprofits; expressed support for the recommendation: Anna Guzman-Pellow.

Stated that he had the privilege and challenge of racing against Svend and his son; he appreciated his guidance, support, and mentoring; Svend organized meetings that led to the 2013 \$7 million cleanup of the estuary, followed by another in 2019, and another this past December; Svend was one of, if not the, first boatyard in the Bay to make a comprehensive environmental control program to prevent contamination of the Bay from toxic bottom paint and was recognized by the Governor for the effort; expressed support for the recommendation: Brock de Lappe.

Expressed support for the recommendation and encouraged Council to approve the name; stated Svend has done a lot for the sailing community and youth programs: Roxanne Mosley and Joel Fong.

Stated Svend's was the boaters' boatyard; in 2000, Svend asked how to environmentally work on containing everything in the boatyard and not allow anything to go into the estuary, which he spent tens of thousands of dollars out of his pocket to make happen and was properly rewarded for by the State; Svend loved the Bay, workers, boaters, and community; urged Council to support the recommendation: Damir Priskich.

Stated that he knew Svend as a competitor in races, as a customer, and as a market competitor; Svend's was not just a boatyard or a store, but an ecosystem; the people at the boatyard created a community of artisans; Svend would mentor, teach, support and help everyone; the ecosystem is what created the powerful cultural influence he had; expressed support for the recommendation: Ron Young, Portola Valley.

Mayor Ezzy Ashcraft stated that she knows the Svendsen family and was neighbors with them for some time; Svend was a lovely man and his name should be considered, however, it should not happen tonight as the naming process did not go through the approved process; the process has been used for some time and ensures everyone is on an equal playing field; the selection would be a more meaningful if it went through the proper process every other park naming goes through; she will not be supporting the item at this time; encouraged Council to follow a recommendation made in the staff report which allows Council to direct staff to conduct additional public engagement based on the original list of the top ten park names received during the community input process conducted in 2022, with the addition of the Svendsen Maritime Park name, as well as the names of women who had a historic impact in Alameda, recommended by the Alameda Museum, and names of Native American people whose remains were found during the development of the Alameda Marina property; the public should have a right to consider the options.

Councilmember Herrera Spencer stated the process is being misrepresented; inquired whether the property was an agenda item for the Council meeting today, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer inquired whether any member of the public who wanted to weigh in on this issue could have done so, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer inquired whether this was the second time the item has come to Council, to which the City Attorney responded in the affirmative.

Councilmember Herrera Spencer stated if at that time, the vote was 3 to 2, to which the Recreation and Park Director responded in the affirmative; stated staff received direction to research the name at the meeting on January 3, 2023.

Councilmember Herrera Spencer inquired if the Mayor did not support moving forward with the name at that time, to which Mayor Ezzy Ashcraft responded in the affirmative; stated that she raised the same concerns at previous meeting; what she objected to then, and now, is the process not being followed; the Recreation and Parks Commission decided to throw the rules out the window and send this name and another to Council; she is not misrepresenting the process.

Councilmember Herrera Spencer stated that she did not hear anyone express the same concern as the Mayor this evening; inquired whether anyone raised any concerns regarding the process not being followed via email, to which the City Manager responded in the negative.

Mayor Ezzy Ashcraft clarified the Recreation and Parks Commission did not follow the process.

Councilmember Herrera Spencer expressed support for the recommendation; stated that she believes the public is aware and is in support, as she received over 40 emails; the last direction given by Council was for a background check; thanked staff for conducting a comprehensive background check and clearly stating there is no reason the nomination could not proceed; asked whether the background check came back glowing.

The Recreation and Parks Director responded in the affirmative; stated the work completed by staff confirmed there was nothing in the background that would be alarming.

Councilmember Herrera Spencer stated having everyone return for the item again would not be appropriate; Svend had amazing friends and family; very few people in the City would have so many people take time out of their lives to come give praise and show respect.

Councilmember Herrera Spencer moved approval of naming the park Svendsen Maritime Park.

Vice Mayor Daysog stated naming the park after Svend Svendsen is right and fitting, given the contribution of the maritime industry to Alameda; the City's flag has an anchor as the symbol; expressed support for naming the park after Svend; listed the names considered, which are not compelling; stated it is exciting to memorialize someone who contributed much to the community; encouraged Council not to complicate the matter and take the opportunity to celebrate the significant contributions of this individual and his family members.

Mayor Ezzy Ashcraft clarified the suggestion made was to consider other names, including the names of women who have had some significance in the maritime history on the Island, as well as Native Americans.

Councilmember Jensen stated the concerns regarding the process not being followed are valid, however, if Council does not provide volunteer commissions sufficient support or direction, Council should take responsibility; all names previously listed relate to the maritime industry and activities; Alameda is special; one of its greatest assets is the accessible, big network of parks; the main thing Alameda has is its people and Svend epitomizes Alameda; expressed support for the recommendation; stated it is a good idea to celebrate our people; this is the best option.

Mayor Ezzy Ashcraft inquired whether Councilmember Jensen was not troubled by the fact that the Recreation and Parks Commission did not follow the Council approved process and whether she would not consider having the matter go back to the Commission for reconsideration, along with other names.

Councilmember Jensen stated that she will support the motion made.

Mayor Ezzy Ashcraft inquired whether Councilmember Jensen needed to disclose any personal relationships or campaign contributions received.

Councilmember Jensen inquired whether her contributions have a bearing on this issue; inquired whether Council is required to disclose contributions from the community when making decisions and if the preference is that she recuse herself; inquired whether members of the body recuse themselves from any decision having to do with any industry or individual that has contributed to their campaign.

Mayor Ezzy Ashcraft responded it is a combination of things, but if Council decides to depart from the process, it is for the sake of transparency.

Councilmember Jensen stated that she has not been influenced or received any monetary value or contribution for her vote in this matter.

Vice Mayor Daysog stated that he is not completely convinced by the argument that the process was not followed; there was a Recreation Commission meeting and an evaluation of certain names had to have been arrived to through some process; Council relies on ourselves, as well as Commission members, to exercise discretion and judgement, which he believes was done; the names were found lacking; there is a name that is fitting and right for the specific spot because of what it represents to all of Alameda and its maritime history.

Mayor Ezzy Ashcraft stated the process clearly was not followed pursuant to the staff report before Council; requested clarification whether an exception should be made in this case, to which Vice Mayor Daysog responded in the affirmative.

Councilmember Herrera Spencer stated this is not an exception but rather, appropriate; validated Councilmember Jensen; stated that she has worked with her for many years on various boards and she would never question her integrity; she is saddened such comments were suggested.

Councilmember Jensen seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, Herrera Spencer and Jensen – 3. Noes: Mayor Ezzy Ashcraft – 1. [Absent: Councilmember Vella – 1.]

(24-325) Recommendation to Accept the Annual Military Equipment Report for the Alameda Police Department and Continue to Allow the Department to Use and Maintain the Equipment Previously Adopted;

(24-325 A) Introduction of Ordinance Adopting a Military Equipment Use Policy for Uncrewed Aerial Systems (UAS) (Drones) for the Alameda Police Department; and

(24-325 B) Recommendation to Authorize the City Manager to Purchase Two Drones from Axon Enterprise, Inc. in an Amount Not-to-Exceed \$143,804.02 over a Term of Five Years, once the Ordinance Authorizing a Policy Governing the Use of Drones Becomes Effective. Continued to June 4, 2024.

The matter was opened and continued to Section 6 on June 4, 2024.

CONSENT CALENDAR - ITEMS REMOVED FOR DISCUSSION

(24-326) Adoption of Resolution Reauthorizing Resolution No. 16104, which Amended the Rules of Order Governing City Council Meetings Concerning the Consent Calendar, Speaking Times for the Public and Reviewing, Changing or Rescinding Prior Council Actions. Continued to June 4, 2024.

CITY MANAGER COMMUNICATIONS

(24-327) The City Manager stated construction on Park Street between San Jose Avenue and Webb Avenue is currently taking place with crews installing new bike lanes; restriping is the next step, moving parking back to the curb, and adding new short-term and disabled parking; encouraged everyone to attend the Alameda Point Open House on Saturday, June 1st, from 2 to 5 p.m. where people can learn about what is happening currently, as well as future plans for Alameda Point; the location and additional information can be found on the City's website; stated AC Transit has its draft realign plan online and is seeking public comment through June 5th; more information can be found on actransit.org/realign; the draft plan is proposing major changes to bus services in Alameda and region-wide; encouraged everyone to learn more and share feedback; encouraged people to join the community meeting on Saturday, June 8th, about the design for a new aquatic center; stated the first online survey can be found by visiting the City's website.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(24-328) Vice Mayor Daysog announced that he attended a recent luncheon and a meeting.

(24-329) Councilmember Jensen suggested the meeting be adjourned in memory of Delaney Smith; stated that she interned at Ms. Smith's office at California State University East Bay, where she learned a lot about East Bay politics; she was one of the many women who was supported by Ms. Smith during her long career as an elected and appointed East Bay official.

ADJOURNMENT

(24-330) There being no further business, Mayor Ezzy Ashcraft adjourned the meeting at 11:51 p.m. in memory of Joyce Denyven.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Sunshine Ordinance.